

CRM-M-18628-2019

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-18628-2019

Date of Decision: 22.07.2019

Shiv Narayan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasdev Singh Mehndiratta, Advocate,
for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in a case FIR No.51 dated 27.02.2019, registered at Police Station Dadri City, District Charkhi Dadri, under Sections 120-B, 403, 406, 409, 420, 465, 468 and 471 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that as per the case of prosecution, a cheque after making cuttings and additions, has been changed in the name

of Shri Ram Enterprises and the amount has been deposited in the bank

PARVEEN KUMAR
2019.07.23 18:49
I attest to the accuracy and
integrity of this document

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account of Shri Ram Enterprises, which has been withdrawn by the accused.

The only allegation against the present petitioner is that he has scribed the cheque.

Perusal of photocopy of the cheque shown to this Court, reveals that prima facie, there are so many cuttings on the cheque regarding account number, name etc. and it is yet to be seen as to who has made the cuttings etc.

In pursuance of the interim order dated 29.05.2019 passed by this Court, the petitioner has already joined the investigation. He is not the beneficiary. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.05.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

22.07.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

Note: Whether speaking/reasoned : Yes